IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
C.R.A. No. 280/02

Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	**Court's or Judge's Orders.**

CORAM : **A.P. Lavande,J**
DATE : 11th August, 2006

None present on behalf of the applicant as well as on behalf of the respondent.

2. This matter was partly argued on 2.8.2006 and 4.8.2006. When the matter is called out today none is present on behalf of the parties. I propose to dispose of the civil revision application on merits after perusing the records.

3. The challenge in this revision application is to the order dated 29.10.2001 passed by the Civil Judge, Jr. Dn., Murtizapur in Regular Darkhast No. 49 of 2000. By the impugned order the executing court has ordered attachment of the salary of the respondent to the extent of Rs. 3000/- p. m. and to remit the same to the court till realisation of the decretal amount of Rs. 1.80 lacs

4. According to the applicant, the entire salary of the respondent/ non applicant ought to have been

attached in execution of the decree.

5. Having perused the orders and the records I do not find any jurisdictional error committed by the executing Court in passing the impugned order. The order passed by the executing Court cannot be said to have been passed by exercising the jurisdiction illegally. The executing court has exercised the discretion and attached the amount of Rs. 3000/- p. m. from the salary of the judgment debtor. Therefore, I do not find any ground to interfere against the impugned order in exercise of revisional jurisdiction. Hence, the revision application is dismissed with no order as to costs.

Judge

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